

REMARKS

This application has been reviewed in light of the Office Action dated March 29, 2004. Claims 1-4, 7-11, 17-19, and 21-28 are presented for examination, of which Claims 1, 7, 17-19, 21-24, 27, and 28 are in independent form. Claims 1-4, 7, 8, 11, 18, 19, 21-24, 27, and 28 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

Applicant notes with appreciation the allowance of Claim 17.

Claims 1-4, 7-11, 18, 19, and 21-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,720,014 (*Ikeda et al.*), in view of U.S. Patent No. 5,838,459 (*Hashimoto*).

As shown above, Applicant has amended independent Claims 1, 7, 17-19, 21-24, 27, and 28 in terms that more clearly define what he regards as his invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is a data communication system. The system includes a connector, an operation input unit, a data transmitter, a transfer unit, and a discrimination unit. The connector connects a network that is connectable to a plurality of data processing terminals to the data communication system. The operation input unit receives a manual instruction from an operator. The data transmitter transmits a document based on the instruction input by the operation input unit. The document is transmitted to an external data communication terminal via a line that does not include the connector. The transfer unit transfers transmission result information representing

a result of the document transmission performed by the data transmitter and the document transmitted by the data transmitter to a data processing terminal via the connector. The discrimination unit discriminates user information input by the operation input unit in a case where the data transmitter transmits the document, and the transfer unit transfers the transmission result information and the document based on the user information discriminated by the discrimination unit.

Among other important features of Claim 1 are transferring transmission result information representing a result of the document transmission performed by the data transmitter and the document transmitted by the data transmitter to a data processing terminal via the connector, and discriminating user information in a case where the data transmitter transmits the document, and the transfer unit transfers the transmission result information and the document based on the user information discriminated by the discrimination unit. That is, the transmission result information and the document are transferred based on the user information.

Ikeda et al. relates to an image processing apparatus that can be connected to an information processing terminal. The image processing apparatus comprises interface means for exchanging data with an external information processing terminal, instruction receipt means for receiving an instruction via the interface means from the terminal, and control means for controlling various processes, such as communication, image recording, and image reading, in consonance with the instruction received by the instruction receipt means.

The Office Action at pages 4 and 5 specifically concedes that *Ikeda et al.* fails to teach the notification includes the transmission result information and the document

transmitted by the data transmitter. For at least this reason, Applicant submits that Claim 1 is clearly patentable over *Ikeda et al.*, taken alone.

The Office Action cites *Hashimoto* as overcoming the deficiencies of *Ikeda et al.*, and in particular teaching that both the transmission result information and the transmitted document are transferred to the data processing terminal. *Hashimoto* relates to a system that automatically delivers, by using a facsimile device, a document, particularly drawings, stored in storage means to a designated destination. The *Hashimoto* system includes a transmission management editing unit that produces and manages transmission management information in which transmission results such as transmission completion and incomplete transmission of a document are managed in accordance with a destination list and a hierarchical structure of the documents to be transmitted. In accordance with the completion and incompletion of the facsimile transmission, transmission results of the transmission management information are updated. On the basis of the updated transmission management information, a document which is to be transmitted but was transmitted incompletely is re-transmitted to the corresponding destination.

The Examiner appears to equate the information displayed in the operation screens depicted in Figs. 13A and 13B of *Hashimoto* to include the document transmitted by the data transmitter, and that the drawing list represents the document transmitted by the data transmitter. Figs. 13A and 13B merely show examples of a display of operations which can be conducted through a user interface 103 on the transmission list editing unit 101. Fig. 13A specifically shows transmission histories of drawing bundles and Fig. 13B shows transmission histories of drawing sheets. The Examiner at page 5, line 22, to page 6, line 1, of the Office Action, for example, states that in Fig. 13B a specific sheet of a drawing bundle is shown on

the display. We disagree. Fig. 13B merely depicts specific information regarding a specific sheet, specified by a user, of a drawing bundle. In fact, in Fig. 13B, Sheet 3 was not found by the system. Accordingly, it would not be possible to show this drawing, as asserted by the Examiner, much less it being a drawing that was transmitted by a facsimile device.

Further, Figure 14 of *Hashimoto* depicts an example of the specific configuration of the *Hashimoto* system. As discussed at column 14, line 59, to column 15, line 16, image data is first transferred from workstation 301 to workstation 302, which in turn transfers the image data to facsimile device 306, where it is transmitted. Workstation 302 notifies the results of the transmission conducted by the facsimile 306 to workstation 301 which in turn records the notified results into the transmission log file. However, *Hashimoto* is silent with respect to the image data transmitted by facsimile device 306 being transmitted (transferred) from facsimile device 306 to workstation 302 or from workstation 302 back to workstation 301.

For at least the above reasons, Applicant submits that *Hashimoto* fails to teach or suggest transferring transmission result information representing a result of the document transmission performed by the data transmitter and the document transmitted by the data transmitter to a data processing terminal via the connector, and discriminating user information in a case where the data transmitter transmits the document, and the transfer unit transfers the transmission result information and the document based on the user information discriminated by the discrimination unit, as recited in Claim 1.

Therefore, even if *Ikeda et al.* and *Hashimoto* were to be combined in the manner proposed in the Office Action, assuming such combination would even be

permissible, the resulting combination also would fail to teach or suggest at least those features of Claim 1.

Accordingly, Applicant submits that Claim 1 is clearly patentable over *Ikeda et al.* and *Hashimoto*, whether considered separately or in combination.

Independent Claims 7, 18, 19, 21-24, 27, and 28 include similar features to those discussed above in connection with Claim 1. Accordingly, Claims 7, 18, 19, 21-24, 27, and 28 are also believed to be patentable for reasons substantially similar as discussed above in connection with Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "L. P. Diana", is written over a horizontal line.

Leonard P. Diana
Attorney for Applicant

Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY MAIN 436729